

***United States Court of Appeals
for the Second Circuit***



REPLY BRIEF

No- 74-1752

74-1752 B
pls

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

JAMES L. DILLARD
Plaintiff-Appellant

vs

ANNABELLE B. DILLARD, DISTRICT DIRECTOR, MR. GLANTZ,
AND MR. ANTHONY FABISZEWSKI OF THE INTERNAL REVENUE
SERVICE, JUDGE FLORENCE M. KELLEY ADMIN. JUDGE OF THE
FAMILY COURT OF THE STATE OF NEW YORK IN THE CITY OF
NEW YORK.

Defendants-Appellees

ON APPEAL FROM THE ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF THE STATE OF NEW YORK.

REPLY BRIEF IN OPPOSITION OF THE ATTORNEY
GENERAL OF THE STATE OF NEW YORK

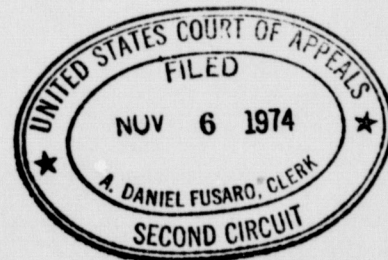
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ARGUMENT TO SHOW THAT THIS IS A CLASS ACTION, VIOLATES THE BILL OF RIGHTS OF THE U.S. AND STATE OF NEW YORK CONSTITUTIONS AND SHOULD NOT BE DISMISSED.

L. First, I allege that the State Attorney General is not relating to the issues as brought by the plaintiff-appellant, noted as follows:

a. The defendants both statewise and federal are making great issue about my not being able to make a joint return with my wife. This is a serious matter, but not in a legal standpoint. I have known as knowledge for years that I could not make my wife file with me jointly. NOTE: IN THE HEREIN MATTER NOT TO DO SO HAS INCRIMINATED ME. My wife gave to the U.S., State, and City governments several thousand dollars that with a properly filed return would have been refunded. Subsequently she ran short of funds and I was prosecuted in the Family Court for non-support. I am not employed because of a previous similar situation. (THIS VIOLATED THE 14th AMENDMENT OF THE U.S. CONSTITUTION WHICH HAS NO GENDER IN RESPECT TO THE CITIZENS OF THE UNITED STATES.

B. In 1959, 62, 63, and 1974 the Family Court Act was applied to and against me. I was persecuted under this act while no cognizance was given to the information given by me. No investigation was ever made as to the authenticity of the charges made by the petitioner to the Family Court. I allege that the above had been done there would not have been any subsequent court actions between the parties in the Family Court. (THIS WAS THE REAL CRIME) The remainder is a cover-up for the errors made by the Family Court.

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c. An action will be brought very soon against the Petitioner to Family Court and others by members of my family alleging that the entire family has been injured and conduct ANNABELLE B. DILLARD and her use of the Family Court to carry out her aims regardless who her victims are. This action is being held up because of Mrs. Dillard's being hospitalized at the present. We shall maintain that the conduct of Mrs A.B. Dillard has made her family live on a poverty level just to acclaim a false superiority.

d. The Attorney General should be asked to relate to the allegation of the plaintiff-appellant herein that 'case law' or 'Stare Decisis Doctrine' be waived in this action if not be ordered to show a case where the STATE, CITY AND COUNTY attempted starve a citizen to cover-up a crime it had committed against him. (THEREFORE, THE APPELLANT ALLEGES THAT HE HAS BEEN TREATED DIFFERENT AND WORST THAN ANY OTHER CITIZEN IN A LIKE CIRCUMSTANCE.)

E. The appellant herein alleges as did the late Hon. Hugo Black that violations of the U.S. 'BILL OF RIGHTS' supercede all other and/or nullifies all laws repugnant thereto.

WHEREFORE, I, JAMES L. DILLARD, plaintiff-appellant herein prays to this court that this action be treated as the appellant intended as a violation of the 'BILL OF RIGHTS' and the 14th amendment of the U.S. Constitution, be declared a 'Class Action' and that the Family Court Act of the State of New York be voided and declared unconstitutional, especially as applied to the herein matter, secondly, it is further prayed

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that the motions for dismissal granted by the district be re-
versed and that the appellant be indemnified for damages by all
perpetrators.

Fro your information;

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